

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**SONIA TORRES, VALERIE ORTIZ  
IRENE RODRIGUEZ, ADAM  
RODRIGUEZ, JOSEPH RODRIGUEZ SR.,  
JOSEPH RODRIGUEZ JR., ANTHONY  
MAYA, JOSE RIVERA,**

**INFANT COMPROMISE  
ORDER**

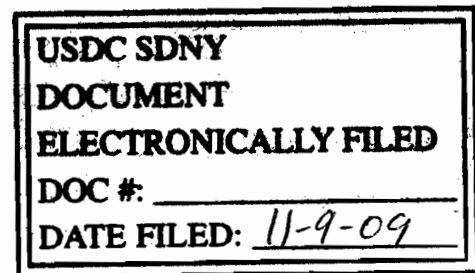
**Plaintiff,**

**08CV7381**

**-against-**

**THE CITY OF NEW YORK and THE NEW YORK  
CITY POLICE DEPARTMENT CAPT. LORENZO  
JOHNSON, LT. CHRISTOPHER VONKESSE, DET.  
KENNETH BAKER, P.O. ANTHONY MATTESI,  
DET. PEDRO LOPEZ, P.O. DANIXON CABRERA,  
SGT. MICHAEL DIAZ, SGT. MICHAEL  
RODRIGUEZ and P.O. RICHARD LAUDMAN,**

**Defendants.**  
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The parties having agreed to the settlement of the infant plaintiff's causes of action for the sum of Ten Thousand Dollars (\$10,000.00) and it appearing that the best interests of the infant will be served by said settlement, and that the infant was born on the 5<sup>th</sup> day of July, 1995; and

It appearing that all prerequisites of N.Y.C.P.L.R. § 1207 and 1208 have been met, for good cause having been shown to dispense with any particular requirement of New York State Law, pursuant to Local Civil Rule 83.2 of the United States District Court for the Southern District of New York.

Now, on motion of YALKUT & ISRAEL, ESQS., Attorneys for plaintiff, by ARLEN S. YALKUT., IT IS HEREBY

**ORDERED**, that SONIA TORRES, mother and natural guardian of the infant petitioner, be and hereby is authorized as empowered to settle and compromise the action herein in favor of the infant plaintiff, IRENE RODRIGUEZ, against all Defendants for the sum of Ten Thousand Dollars

(\$10,000.00) and to execute and deliver a general release, an affidavit of no liens, and a settlement agreement to effect such compromise, and to sign all papers necessary in that connection, and it is further

**ORDERED**, that out of the said sum the defendant is authorized and directed to pay YALKUT & ISRAEL, attorneys for the infant plaintiff, the sum Three Thousand Two Hundred and Eighty Dollars and 00/100 (\$3,213.33) in full payment for legal fees, and it is further

**ORDERED**, out of the said sum the defendant is authorized and directed to pay to YALKUT & ISRAEL, attorneys for the infant plaintiff, the sum of Three Hundred and Sixty Dollars and 00/100 (\$360.00) to be distributed for disbursements incurred in the prosecution of this claim; and it is further

**ORDERED**, that the balance of the settlement, to wit: the sum of Six Thousand Four Hundred Twenty Seven Dollars 00/100 (\$6,426.67) be paid by the defendants to SONIA TORRES, as mother and natural guardian of the infant, jointly with an officer of the CHASE BANK, East 161<sup>st</sup> Street and Gerard Avenue, Bronx, New York 10451, which account is for the sole use and benefit of said infant, IRENE RODRIGUEZ, to be deposited in said bank account in the guardian's name in trust for the said infant in an account upon the following conditions: (a) said account shall be fully insured at all times, (b) said amount shall be deposited in an account having the highest yield irrespective of whether it be a savings account, Certificate of Deposit, or other form of time deposit, the date of maturity of said deposit shall not extend beyond the date when said infant attains the age of eighteen (18) years, and upon maturity of said deposits, said funds shall continue to draw interest at the highest available yield, and (c) no withdrawal from said account shall be permitted until the infant plaintiff reaches the age of eighteen (18) years, except upon further order of this Court; and it is further

**ORDERED**, that the said bank shall, upon said infant's demand therefore, and without

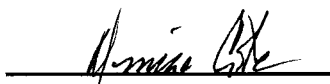
further order of this Court, pay over to said infant when he reaches the age of eighteen (18) years, all monies held upon presentation of proper proof; and it is further

**ORDERED**, that all claims and cross-claims are resolved by this settlement; and it is further

**ORDERED**, that the attorneys for the Plaintiffs execute and deliver to the attorneys for the Defendants a Stipulation of Discontinuance with prejudice for filing in the action presently pending in the Supreme Court, Bronx County, index no. 350341/09, Sonia Torres, Valerie Ortiz, Joseph Rodriguez Sr., Joseph Rodriguez Jr., Jose Rivera, Anthony Maya, Irene Rodriguez an infant by his mother, Sonia Torres and Adam Rodriguez, an infant by his mother Sonia Torres, against The City of New York , the City of New York city Police Department. Cap. Lorenzo Johnson, Lt. Christopher Vonkessel. Det. John Scollo, Shield #5391, Det. Kenneth Baker Sield no. 5651, P.O. Anthony Mattesi Shield no. 6290, Det. Pedro Lopez shield no. 6530, P.O. Danixon Cabrera shield no. 1646, Sgt. Michael Diaz shield no. 03116, Sgt. Michael Rodriguez, shield no. 856, P.O. Richard Laudman shield no. 06122,

**ORDERED**, that this Court shall retain jurisdiction of this matter for the purpose of enforcing the settlement agreement between the parties as referenced herein, and for the purpose of ..enforcing or determining any motions concerning the enforcement or modification of this order.

**SO ORDERED:**



*November 9, 2009*

*The Clerk of Court shall  
close the case.*